

IC 36-1-5 Chapter 5. Codification of Ordinances

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IC 36-1-5-1 Application of chapter

Sec. 1. This chapter applies to all units except townships.

[Pre-Local Government Recodification Citations: Part new; 18-5-12-1 part.]

As added by Acts 1980, P.L.211, SEC.1.

IC 36-1-5-2 Repealed

[Pre-Local Government Recodification Citations: 17-2-2.5-2 part; 17-1-28-10(d) part.]

As added by Acts 1980, P.L.211, SEC.1. Amended by Acts 1981, P.L.11, SEC.134. Repealed by P.L.213-1986, SEC.12.

IC 36-1-5-3 Compilation of code

Sec. 3. The legislative body of a unit shall codify, revise, rearrange, or compile the ordinances of the unit into a complete, simplified code excluding formal parts of the ordinances.

[Pre-Local Government Recodification Citations: 18-5-12-1 part; 18-5-12-4.]

As added by Acts 1980, P.L.211, SEC.1. Amended by Acts 1981, P.L.17, SEC.5.

IC 36-1-5-4 Incorporation of material into ordinance or code by reference; procedure

Sec. 4. The legislative body of a unit may incorporate by reference into an ordinance or code any material. The ordinance or code must state that two (2) copies of the material are on file in the office of the clerk for the legislative body for public inspection, and the copies must be on file as stated for public inspection.

[Pre-Local Government Recodification Citations: 18-5-12-2; 18-5-12-6 part.]

As added by Acts 1980, P.L.211, SEC.1.

IC 36-1-5-5 Printed code constitutes presumptive evidence

Sec. 5. A printed code that has taken effect constitutes presumptive evidence in any legal proceeding:

- (1) of the provisions of the code;
- (2) of the date of adoption of the code;
- (3) that the code has been properly signed, attested, recorded, and approved; and
- (4) that any public hearings required have been held, with any notices required given.

[Pre-Local Government Recodification Citation: 18-5-12-3 part.]

As added by Acts 1980, P.L.211, SEC.1.

IC 36-1-5-6 Restated or reenacted provision of original ordinance

Sec. 6. If the legislative body determines, and declares in a provision of a code, that the provision is a restatement or reenactment of an original ordinance or amendment thereof, then the legal conditions for the effectiveness of an original ordinance need not be met. Such a restated or reenacted provision shall be considered reordained by the adoption of the code.

[Pre-Local Government Recodification Citation: 18-5-12-5.]

As added by Acts 1980, P.L.211, SEC.1.